

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

3:06cr353

UNITED STATES OF AMERICA )

vs. )

JARIO NUNEZ-SANCHEZ )  
\_\_\_\_\_ )

ORDER

**THIS MATTER** is before the Court on an Order of Remand (Doc. No. 237) from the United States Court of Appeals for the Fourth Circuit for consideration of the transcript of the defendant's Rule 11 Hearing (Doc. No. 219).

The appellate court noticed a discrepancy between the magistrate judge's written summary of the defendant's responses during the hearing (Doc. No. 125: Acceptance and Entry of Guilty Plea at ¶¶ 27, 28) and the transcript (Doc. No. 219: Plea Hearing Tr. at 30-31). This Court has reviewed the audio recording of the hearing and finds that the transcript contained typographical mistakes, as it relates to the defendant, at page 31, lines 1 and 8. An amended transcript has now been filed (Doc. No. 238) which accurately records the defendant's answers to the questions at issue.

The Clerk is directed to certify copies of this Order the defendant, defendant's counsel, and the United States Attorney. The Clerk is further directed to notify the Fourth Circuit of the Court's findings following remand and to return the supplemented record for further proceedings.

Signed: October 9, 2009



Robert J. Conrad, Jr.  
Chief United States District Judge

